IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 9487 of 1999

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

ANAND ACHARYA C/O MADHUSUDAN ACHARYA

Versus

STATE OF GUJARAT

Appearance:

MR IS SUPEHIA for Petitioner

MR PREMAL JOSHI for Respondent

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 13/09/2000

ORAL JUDGEMENT

#. In this petition, the petitioner is challenging the order of the respondent dated 22nd October, 1999, under which he was ordered to be removed from services. The petitioner was serving as Deputy Collector. He was

chargesheeted vide memo dated 16th December, 1995 for the charges mentioned therein. In the inquiry, the charges were held partly proved and the inquiry report was accepted and the order aforesaid has been passed.

#. After filing of this petition, the petitioner filed review application under Rule 24 of the Gujarat Civil Services (Discipline & Appeal) Rules, 1971 before respondent. However, the respondent, by letter dated 6.8.2000, informed the petitioner that his review application cannot be considered in view of Rule 24(2)(ii) of the Rules aforesaid as this petition is pending.

#. The learned counsel for the petitioner, in view of the subsequent developments which have taken place, prays for withdrawal of this special civil application and further prays that directions may be given to the respondent to decide the review application within reasonable time.

#. Prayer made for withdrawal of this special civil application is granted. The special civil application is dismissed as withdrawn. Rule discharged. The respondent is directed to decide the review application filed by petitioner within a period of three months from the date of receipt of Writ of this order. No order as to costs. Direct Service permitted.

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(sunil)